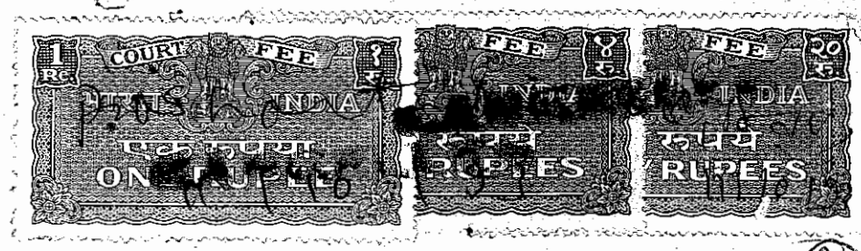

(2)

IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

MISC. PETITION NO. 1255 /1993

PETITIONER : Mohan Lal Agrawal S/o Late Shri Murari Lal Agrawal aged about 39 years, occupation business r/o Jagatpur and Darogapara Raigarh tahsil and district Raigarh (MP)

VERSUS

RESPONDENTS : 1. The Land Acquisition Officer Collectorate RAIGARH .

2. Collector Raigarh and Ex-Officio Deputy Secretary State of M.P.

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR A WRIT IN THE NATURE OF CERTIORARI MANDAMUS ETC AND FOR APPROPRIATE FURTHER ORDERS

(44)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ...WPRO.4255/03... **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	4-8-2005 Shri B. D. Guru, counsel for the petitioner. Shri Parag Kotecha, Panel Lawyer for respondents. Heard both the counsel. The case of the petitioner is that the land of the petitioner bearing Khasra No.93/2 has been taken into possession by respondents without issuance of any notification under Section 4 and declaration under Section 6 of the Land Acquisition Act, 1894. This fact has been admitted by respondents in their statement. However, fact remains that as on date after taking over the possession road has already been constructed on the land in question. Learned counsel for the petitioner submits that the petitioner raised objection before the Collector (Annexure-P/6) and the same has been forwarded to the District Judge under Section 18 of the Land Acquisition Act, 1894. Learned counsel further submits that the matter is still pending before the District Judge. He also submits that the petitioner may be allowed to represent his case before the	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

District Judge for raising his objections and also for enhancement of compensation in accordance with law to which learned counsel for respondents has no objection.

Having heard learned counsel for the petitioner and having regard to the facts and circumstances of the case, since the petitioner's representation has already been forwarded to the District Judge where the reference is pending, the petitioner may appear before the District Judge where the reference is pending and raise his objections, in accordance with law.

The writ petition is disposed of accordingly.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge

Barve/-